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Union.

VOLUME IV. "LIBERTY, THE UNION, AND THE CONSTITUTION."

## CITY OF WASHINGTON, THURSDAY MORNING, FEBRUARY 22, 1849.

Mr. JOHNSON of Louisiana, from the Committee on Pensions, to whom were referred the following House bills:

An act for the relief of Sylvanus Blodget;
An act for the relief of Susannah Prentiss;
An act for the relief of Hannah Kinney, widow of Amos Kinney, late of the State of New York;
An act for the relief of Philip Miller;
An act for the relief of Philip Miller;
An act for the relief of Warren Raymond;
An act for the relief of Eve Boggs;
An act for the relief of Levi M. Roberts;
An act for the relief of Camfield Averill;
An act for the relief of Camfield Averill;
An act for the relief of Peter Myers;
An act for the relief of Peter Myers;
An act for the relief of Peter Myers;
An act for the relief of Aaron Stafford;
reported back the same without amendment, and recommended their passage.
Also, thom the same committee, to whom were referred the tollowing House bills:
An act for the relief of Gardner Herring;
An act for the relief of William Blake;
reported back the same without amendment, and with a recommendation that they do not pass.
Also, from the same committee, to whom was referred the petition of Robert M. Martin, made a written report, accompanied by a bill for his relief; which was read, and passed to a second reading.

Mr. DOWNS, from the Committee on the Judiciary, to whom was referred the resolution of the Senate of the 13th instant, authorizing the Commissioner of the Land Office to purchase 500 copies of "White's New Recopilacion," reported a joint resolution respecting the procurement and publication of authentic information as to the laws of the Territories recently acquired from Mexico; which was read a first and second time.

Mr. DOWNS moved that the Senate now consider this joint resolution.

Mr. YULEE objected. The motion therefore could the beauted made the relief of the senate on the senate move consider this joint resolution.

nt. 1016.8 objected. The motion therefore could not be entertained under the rule.

Mr. UNDERWOOD, from the Committee on Claims, to whom was referred the petition of Alexander McKee and Johnson Price, made a written report thereon, a companied by a bill for their relief; which was read and

Mr. YULEE objected. The motion therefore could not be entertained under the rule.

Mr. UNDERWOOD, from the Committee on Claims, to whom was referred the petition of Alexander McKee and Johnson Price, made a written report thereon, acompanied by a bill for their relief; which was read and passed to a second reading.

Also, from the same committee, to whom was referred the petition of Nathaniel Lewis, asking payment of a balance due him for supplies furnished a company of Texas rangers, made an adverse report in writing on the same; which was ordered to be printed.

CONTINUATION OF A LIGHT.

Mr. DIX, from the Committee on Commerce, to whom was referred the bill to continue the light at Sand's Point, Long Island Sound, reported the same without amendment.

On motion by Mr. DIX, the Senate proceeded to the consideration of the same as in committee of the whole, and no amendment having been offered, the bill was ordered to be engrossed for a third reading, and was subsequently read a third time, by unanimous consent, and passed.

Mr. BUTLER, from the Committee on the Judiciary, to whom was referred the joint resolution from the House of Representatives, authorizing the Secretary of State to increase the number of copies of the laws of Congress annually distributed to the several States and Territories, reported back the same without amendment.

RESOLUTIONS.

IN CONGRESS OF THE U. STATES,
TOTALISM Engages.—Insected statements of the control of the contro short speech.

Mr. HALE said he had not used the very words of the senator. He was not in the habit of clothing his words so gracefully as the senator from North Carolina; but that he would listen with pleasure to him in either a long or a short speech, and should vote for taking up the bill the more readily from the knowledge that that gentleman would speak upon it. He thought it was a bill which, with peculiar force, demanded the consideration of the Senate. Members of the Judiciary Committee had been strying for eight months of the last session to get that bill up. It was now nearly the close of the session. The bill had been reported near the commencement of the last session, and it was now said we had not time to take it up. It was time to take it up. The people of this District had not the right of trial by jury at present. The judges of the circuit court had undertaken, in the exercise of their duties, to determine that a certain case tried before them should not be submitted to a jury; and as the law now stands, that decision cannot be brought before the Supreme Court of the United States for revision. The people of the District were thus denied a right accorded to the citizens of every other part of the United States.

Mr. ATHERTON, (interposing.) asked if on a motion to take up a bill, debate was in order; if so, then they might consume the balance of the session on motions of that kind.

The VICE PRESIDENT said that debate upon a motion to suspend the prior orders was in order.

Mr. HALE was sorry that the gentleman had not pro-

The VICE PRESIDENT said that debate upon a motion to suspend the prior orders was in order.

Mr. HALE was sorry that the gentleman had not proposed that inquiry before he had got through his speech. It would certainly have been in better taste. He had merely said that he hoped the bill would be taken up.

Mr. BUTLER said the bill had been reported by the Judiciary Committee, and that it proposed to give the right of appeal in all cases over two thousand dollars to the Supreme Court of the United States. Under the present law the citizens of the District had no right of appeal [The remainder of the remarks of the honorable senator were heard too indistinctly to warrant an attempt at reporting them ]

opinion of the committee, Congress has no power to adopt it."

"The power conferred by the constitution on Congress is, to admit new States—not to create them. According to the theory of our government, the creation of a State is an act of popular severeignty, not of ordinary legislation. It is by the will of the people of whom the State is composed, assembled in convention, that it is created. Congress may provide for the assembling of a convention; but it is the will of the people, expressed in that convention, which alone creates the State; and, until that is done, the power conferred by the constitution on Congress "to admit new States" into the Union, is not called into exercise. There is nothing upon which it can operate. In the opinion of the committee, then, this bill ought not to pass, because it proposes the exercise by Congress of a power not vested by the constitution in the National Legislature—namely, the creation of a new State."

Mr. BERRIEN made a remark in his seat, which was imanifible.

Mr. BELL. The gendleman says he did not say any most things after their was no organized Sate governance.

Mr. BERRIEN, Before the act of Congress passed.

Mr. BERRIEN, Before the act of Congress passed.

Mr. BELL. Well, sirt, this six he general ground that Congress to rest and the proof of t

posed that inquity before he had got through his special posed that inquity before he had got through his peculiar posed to give the right of appeal in all cases over two thousand dollars to the Supreme Court of the United States. Under the present law the citizens of the District had no right of appeal. The results of appeal in all cases over two thousand dollars to the Supreme Court of the United States. Under the constitution and that the proposed to give the right of appeal in all cases over two thousand dollars to the Supreme Court of the United States and law the citizens of the District had no right of appeal. The remainder of the remarks of the honorable sentitive were heard too indistinctly to warrant an attempt at reporting them.

The VICE PRESIDENT again ruled that debate was in order on a motion to postpoae the prior orders.

Mr. DICKINSON inquired if the motion to take up a bill was debatable.

The VICE PRESIDENT again ruled that debate was in order on a motion to postpoae the prior orders.

Mr. DICKINSON said that he was in favor of taking up the bill; but as he did not suppose that it could be done at the present time, and as they were taking up the bill; but as he did not suppose that it could be done at the present time, and as they were taking up the bill; but as he did not suppose that it could be done at the present time, and as they were taking up the bill; but as he did not suppose that it could be done at the present time, and as they were taking up the bill; but as he did not suppose that it could be done at the present time, and as they were taking up the point of the present time, and as they were taking up the point of the Senate which should be appropriated to more important business, he would make a motion for the constitution of the bill making up the point of the armound of the present time, and the present

we be cavilling upon points of expediency before they have had any form of government—a territorial govern-

TO OUR SUBSCRIBERS.

Virginia, not a separate or independent government, or State. The last section is as follows:

"That upon the aferesaid first day of June, one thousand seven hundred and ninety-two, the said new State, by the name and style of the State of Kentucky, shall be received and admitted into this Union as a new and entire member of the United States of America."

Not only was there no State, but there was no State constitution even upon parchment at the time of the passage of that act. They had not even upon paper, much less a living constitution operating in the State of Kentucky. They did not require the protection of a constitution. They agree that it shall become a State of this Union. For anything that Congress knew, there was to be no constitution and no government better than that adopted under the jurisdiction of Virginia. The constitution was not submitted to Congress until the fall of that year, after she had, according to the terms imposed on her by the constitution of the United States, become an independent State. And, sir, this is the only flat of Congress in relation to the erection of the district of Kentucky as a State of this Union. Kentucky was admitted without a constitution, in fact; for that is the history of it. There was no State constitution, and we did not require that there should be a State constitution.

It is said that Kentucky had a civil organization under the jurisdiction and sovereignty of Virginia, and

is necessary to have a written constitution.

Mr. BELL. No sir. They had no republican form of government except that which they had while belonging to Virginia. Noterritory had any government in any form except by the permission of Congress.

And the state of t